

**MINUTES OF THE CITY OF LAS VEGAS CITY COUNCIL REGULAR MEETING HELD
ON WEDNESDAY, MARCH 15, 2017 AT 6:00 P.M. IN THE CITY COUNCIL
CHAMBERS**

MAYOR: Tonita Gurulé-Girón

COUNCILORS: Barbara A. Casey
Vincent Howell
David L. Romero
David A. Ulibarri, Jr.

ALSO PRESENT: Richard Trujillo, City Manager
Casandra Fresquez, City Clerk
Danelle Smith, Acting City Attorney
Juan Montano, Sergeant at Arms

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Councilor Howell asked that everyone keep all those who have left to see the Good Lord in their prayers and mentioned we had recently lost Gia Berged, Laura Ware, Raymond Varela and Elena Lucero. Councilor Howell asked for prayers for local and national government, to guide them in making the right choices for security and the health of our communities.

APPROVAL OF AGENDA

City Manager Trujillo recommended removing Business Items #4 and #5 and advised the removed business items would be brought back at a later date.

Councilor Howell made a motion to accept the agenda as amended, removing Business Items #4 and #5. Councilor Casey seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Barbara A. Casey	Yes
Vincent Howell	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

APPROVAL OF MINUTES

Councilor Casey made a motion to approve the minutes for February 8th and February 15th, 2017 with minor corrections already addressed. Councilor Howell seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David L. Romero	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

MAYOR'S APPOINTMENTS/REPORTS

Mayor Gurulé-Girón advised that there were no appointments at this time although reported that the new appointments to the Charter Commission would be brought to Council, along with other changes as well.

MAYOR'S RECOGNITIONS/PROCLAMATIONS

Mayor Gurulé-Girón informed that there were no recognitions or proclamations at this time.

PUBLIC INPUT

Lorenzo Flores spoke briefly regarding the support he gave to City Manager Trujillo regarding the water issues with Acequias finally coming to a close, saving

the City a lot of money and thanked him for his efforts and stated that the community owed him a debt of gratitude.

Cordia Sammeth informed that she supported this administration and felt that they were working to live up to their words and thought they included all of the people in the community based on their actions. Ms. Sammeth stated that she appreciated City Manager Trujillo's support of the farmer's market, his efforts in transparency by communicating with the public, and commended him for his efforts in resolving water issues with the Acequias.

Bob Wessely spoke of his concerns regarding his referencing the 1200 acre foot bulk water purchase agreement, finding that evaporation charges would reduce storage and informed that in the February 15 minutes stated that evaporation charges were not included in the agreement and disagreed. Mr. Wessely also stated that he felt that the City should have planning in place for the event of wildfire in the Gallinas Watershed due to finding out through inspection of public records that the City had no documented plans for ensuring continued water supply after a wildfire or to protect the City from increased runoff flooding after a wildfire.

Catherine Kahn took the opportunity to speak regarding her support for City Manager Trujillo and informed she appreciated his efforts in communicating closely with the community, and appreciated him as the City's water engineer and added that her hopes were that the City and County would work together and get the community in shape.

Margaret Villanueva spoke regarding local immigration issues and stated that she supported Legislator Patricia Roybal Caballero for putting forth a bill asking state law enforcement not to work on federal immigration issues and also supported Attorney General Balderas for his efforts against the Muslim immigrant ban. Ms. Villanueva hoped that Council would consider commenting on these issues in the near future.

Clara Lucero questioned the sound system in the Council Chambers and stated she agreed on everyone working together and having less division in the community and spoke on several issues in the community that needed attention.

Alex Aragon commented on the sound system as well and stated that he had recently requested the change in Public Input speaking from 3 minutes to 5 minutes and having to sign up 15 minutes prior to meetings and noted that it was put in place in the Governing Body Rules and Procedures in July, 2005. Mr. Aragon asked Council if they had ever considered a change in increasing the speaking time due to it being several years ago.

Mr. Aragon also stated that the City Charter in its new form had been in effect since March, 2010 and that it should be reviewed within 5 years of the effective date, was long overdue and felt that the Charter was being violated. Mr. Aragon recommended that a list of commissioners to review the City Charter should be provided. Mr. Aragon mentioned concerns regarding the Governing Body Powers and Duties and added that the Governing Body should be informed of all issues by the City Manager as a whole and not just one member.

Mayor Gurulé-Girón advised Mr. Aragon that the Charter Review Commission had been established although needed to be brought to Council for approval and stated that regarding Governing Body Rules, they have adhered to those rules and thanked Mr. Aragon for his input.

CITY MANAGER'S REPORT

City Manager Trujillo thanked all Directors, Managers, and supervisors for their work, their productivity and on the accomplishments in revitalizing this town in order to attract tourists. City Manager Trujillo gave a detailed status report on ongoing projects that were taking place in the following departments:

Human Resource, Information Technology, Utilities, Public Works, Community Development, Police Department, and Transportation.

City Manager Trujillo advised that he would continue to update the Council and that he included with the report, a list of all the conferences that he had attended since appointed and welcomed questions at any time.

Councilor Casey advised that she appreciated the detailed status report from City Manager Trujillo on ongoing projects which was important and a good way of keeping the Council informed on what was being done on a daily bases and the

accomplishments in different departments. Councilor Casey hoped that the monthly report would continue.

Councilor Howell thanked City Manager Trujillo for the progress report on ongoing projects and stated that focus should be on personnel policies that need updating. Councilor Howell said he was pleased with the information from the bond consultant regarding the City's bond capacity and advised he was receiving positive feedback on the progress of helping the Acequias and finally coming to an agreement. Councilor Howell hoped that Hannah Park would be given more attention concerning the effluent line, also was appreciative of the information pertaining to Storrie Lake and the dam projects. Councilor Howell hoped that Community Development Department would support the Rough Rider Motorcycle Rally and was happy about the Police Department receiving new vehicles.

Councilor Romero thanked City Manager Trujillo for the progress report given although thought it was long overdue and hoped to see the City move forward.

Councilor Ulibarri, Jr. thanked City Manager Trujillo for a job well done and added that he appreciated Code Enforcements' efforts regarding abandoned vehicles throughout the city.

Mayor Gurulé-Girón thanked City Manager Trujillo for his commitment to the City of Las Vegas and stated he had been an outstanding City Manager and would continue to support him. Mayor Gurulé-Girón informed the Council that monthly progress reports were available due to meeting report standards by City Manager and Directors. Mayor Gurulé-Girón advised City Manager Trujillo to continue the great work in moving the City forward with water projects and to continue his duty in guiding and uplifting Directors as the Governing Body mentors him and would be there for him as well.

City Manager Trujillo advised that New Mexico Department of Transportation Department Engineers would present information regarding the project on South Grand Avenue.

Andrew Gallegos, N.M.D.O.T. District 4 Project Manager and Hal Bird, WH Pacific Transportation Director presented a detailed status report on the South Grand Avenue Project.

Councilor Howell asked what kind of comments had been received from residents and business owners regarding the South Grand project.

Mr. Andrew Gallegos advised that some comments from residents and business owners were pertaining to the median cutting off access to businesses although added that the median would provide control where people could turn and would aid in drainage and flooding on the roadway.

Mayor Gurulé-Girón opened the floor to allow audience members for public comment at this time. (3 minutes)

Discussion took place with audience members who took the opportunity to speak regarding their concerns on the South Grand Avenue Project.

Councilor Howell asked if there was anyone in the New Mexico Department of Transportation or Federal Government that would be able to help the residents and business owners with the concerns discussed to make changes without losing funding.

Mayor Gurulé-Girón called order and stated that this was something that the City would have to determine and Council would have the opportunity to go into a resolution today if they chose or determine at a later date after more review. Mayor Gurulé-Girón advised this presentation was primarily about public comment and making decisions would be made as a Council, realizing the implications of funding and business loss.

Councilor Howell informed that he was not trying to antagonize anyone in trying to get an answer to his question in regards to finding anyone within N.M.D.O.T. or the Federal Government that could help residents and business owners to address the issues in order to make changes.

City Manager Trujillo recommended that a presentation be scheduled at a later date by Heather Sandoval from the District 4 Engineer's Office to inform the Governing Body on federal funding and the design of federal projects. City Manager Trujillo advised that he understood the concerns and stated that the community's input matters.

Councilor Casey acknowledged the concerns of residents and business owners although stated that another concern was safety issues in that particular area that include gas companies.

Discussion took place of various safety issues that would be of concern if the project would take place.

Mayor Gurulé-Girón advised she was closing public comment at this time.

FINANCE REPORT

Finance Director Ann Marie Gallegos presented the Finance Report for the month ending February 28, 2017 reporting the General Fund Revenue came in at 69% and expenditures were at 61%.

Finance Director Gallegos advised that the Recreation Department revenue was at 50% and expenditures were 74%.

Finance Director Gallegos reported that Enterprise Funds revenue came in at 63% and expenditure total was 56%.

Councilor Howell asked what the figure of 71% under Local-Miscellaneous consisted of.

Finance Director Gallegos advised that pertained to Administrative and Franchise fees.

Councilor Howell had questions on a previous inquiry regarding a \$300,000.00 purchase.

Finance Director Gallegos clarified that it was a purchase of paving equipment from Asphalt Zipper, in April, 2016 which was approved by Council and then sent back. Finance Director Gallegos explained that the cost was \$131,290.00 which was taken out from the Capital Improvement fund after the order was cancelled and informed that the funds were allocated to the Recreation Center.

City Manager Trujillo explained that the purchase of the paving equipment was not welcomed by City staff due to the equipment being too technical, no training to run the equipment, not enough employees and would need to make additional purchases in order to operate and was advised by them not to make the purchase.

Discussion took place regarding the purchase, the return and the additional costs it would take in order to operate the paving equipment.

Councilor Casey had concerns regarding the bill of raising the minimum wage and asked how the Finance Department would prepare for the increase if the bill passed.

Finance Director Gallegos advised that plans had already been in place and were prepared to make any adjustments needed and stated that they were waiting on whether it would become law.

Mayor Gurulé-Girón informed that House Bill 575 passed the house floor and was positive for the State of New Mexico and felt it would be passed by the Senate and Governor Susana Martinez. Mayor Gurulé- Girón advised that it would save the state billions of dollars over the next decade and would provide universal medical coverage. Mayor Gurulé-Girón thanked Public Information Officer Lee Einer for keeping her apprised on Legislative matters.

Councilor Howell asked for the status of the Recycling Program at the Solid Waste Department.

Utilities Director Maria Gilvarry explained that a recall had taken place on the new trash trucks ordered therefore the delay of purchasing new trucks affected the use of old trucks that would be used for the Recycling Program and added that the last reported date of new truck delivery was May, 2017.

CONSENT AGENDA

1. Approval of Resolution #17-05 Budget Adjustment Resolution.

Councilor Casey made a motion to approve Resolution #17-05 Budget Adjustment Resolution. Councilor Ulibarri, Jr. seconded the motion.

Resolution 17-05 was presented as follows:

STATE OF NEW MEXICO
MUNICIPALITY OF CITY OF LAS VEGAS
BUDGET ADJUSTMENT RESOLUTION NO. 17-05

WHEREAS, The Governing Body in and for the Municipality of Las Vegas, State of New Mexico has developed a budget for fiscal year 2017; and

WHEREAS, said budget adjustments were developed on the basis of an increase in revenues and expenditures, transfers in/or out in various funds; and

WHEREAS, increase/decrease in revenues, expenditures, transfer in, and transfers out to be funded by additional funds identified and;

WHEREAS, the City of Las Vegas is in need of making adjustments to the 2017 fiscal year budget;

WHEREAS, it is the majority opinion of this Council that the budget adjustment meets the requirement as currently determined for fiscal year 2017;

NOW, THEREFORE, the Governing Body of the City of Las Vegas passes this budget resolution for budget adjustments, PASSED, APPROVED AND ADOPTED THIS 15th DAY OF MARCH, 2017.

Mayor

ATTEST:

Casandra Fresquez, City Clerk

Reviewed and Approved as to Legal Sufficiency Only:

City Attorney

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

BUSINESS ITEMS

1. Approval/Disapproval of Resolution 17-06.

Public Information Officer Lee Einer advised that Resolution 16-45 adopted January 18, 2017 established a convenience fee for credit and debit card transactions for customers paying their utility bills. Resolution 17-06 will include an established fee for ALL credit and debit City transactions.

Councilor Casey made a motion to approve Resolution 17-06. Councilor Romero seconded the motion.

Resolution 17-06 was presented as follows:

CITY OF LAS VEGAS

RESOLUTION NO. 17-06

A RESOLUTION REPEALING AND REPLACING RESOLUTION NO. 16-45 ESTABLISHING A CONVENIENCE FEE FOR CREDIT AND DEBIT CARD TRANSACTIONS OFFSETTING TRANSACTION FEES CHARGED BY CREDIT CARD COMPANIES

Whereas: The City of Las Vegas Utilities Department and other City Departments are currently absorbing transaction fees charged by credit card companies; and

Whereas: such transaction fees cost the Utilities Department an estimated \$2,500 per month and also are an expense for other City departments; and

Whereas: that cost will rise along with the volume of credit and debit card transactions as online bill pay is made available to city customers; and

Whereas: it is common practice for government agencies to offset the expense of credit card transactions by charging a fully disclosed convenience fee; and

Whereas: A \$1.25 per transaction fee will partially offset the expense incurred by the city for processing credit and debit card payments;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Las Vegas that the City hereby establishes a convenience fee of \$1.25 per transaction for City customers choosing to pay their bills by credit or debit card.

ADOPTED AND APPROVED THIS ____ day of _____, 2017.

Tonita Gurulé-Girón, Mayor

ATTEST:

Casandra Fresquez, City Clerk

Approved as to Legal Sufficiency Only

City Attorney

Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

2. Approval/Disapproval to award proposal #2017-19 to Molzen Corbin & Associates and WH Pacific and enter into agreements.

Utilities Director Gilvarry advised that the City of Las Vegas Utilities Department went out for sealed proposals for engineering architectural services in order to allow for the proper planning and execution of utilities projects to include planning and design and other engineering services. These services will be utilized by each Utilities division as needed. Utilities Director Gilvarry advised that the recommendation from Utilities Department as well as the Utilities Advisory Committee was to award proposal #2017-19 to both Molzen Corbin & Associates and WH Pacific.

Councilor Howell had questions regarding the amount of the costs for services and for the total amount budgeted.

Utilities Director Gilvarry stated that rates for services were included in the agreement and explained that at the time projects would come forward when architectural services were needed; the vendors would already be under contract

and would then present it to Council with the particular projects with costs included at that time.

Discussion took place regarding procurement and several concerns of architectural service costs.

Councilor Howell had a question regarding the Wilson Company and the documents they lacked in the bidding process.

Finance Director Gallegos informed that the paperwork needed from Wilson Company was the certified affidavit.

Councilor Howell made a motion to approve to award proposal #2017-19 to Molzen-Corbin & Associates and WH Pacific and enter into agreements. Councilor Ulibarri, Jr. seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

Vincent Howell	Yes	David L. Romero	Yes
Barbara A. Casey	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

3. Approval/Disapproval to award bid #2017-17 to New Image Construction and enter into agreement.

Utilities Director Gilvarry advised that the City of Las Vegas Utilities Department went out for sealed bids for the Taos Street water line repair. The water line underneath Taos Street is leaking and repairing the line will help reduce water loss. Utilities Director Gilvarry advised that the recommendation of the Utilities Department and the Utilities Advisory Committee was to award bid #2017-17 to New Image Construction.

Mayor Gurulé-Girón had a question regarding the cost of the project.

Utilities Director Gilvarry informed that the project cost was \$80,000.00.

Councilor Howell asked where New Image Construction was from and asked if a local company had bid on the Taos Street water line project.

Utilities Director Gilvarry advised that New Image Construction was from Ribera, New Mexico and informed that Hay's Heating and Plumbing was the local business that had placed a bid as well although the cost from Hay's Heating & Plumbing was \$20,000.00 more than New Image Construction.

Mayor Gurulé-Girón stated for the record that one of the big weighing factors for New Image Construction was the actual GRT being significantly lower than local GRT due to being a company that resides in the county and added that in the past they had discussed passing the five percent local preferential in the city and asked City Manager Trujillo if he had been looking into all bidders providing the local GRT.

City Manager Trujillo advised that his hopes were the passing of the bill that would have any company doing any work in your city to pay the city's GRT.

Mayor Gurulé-Girón stated that she and Councilor Romero had been fighting for several years to ensure that any local GRT was paid to the community by companies doing work in their city.

Councilor Howell made a motion to approve to award bid #2017-17 to New Image Construction and enter into agreement. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll cal. Roll Call Vote was taken and reflected the following:

Barbara A. Casey	Yes	David L. Romero	Yes
Vincent Howell	Yes	David A. Ulibarri, Jr.	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

6. Approval/Disapproval to award proposal #2017-18 to Alpha Southwest, Inc. and enter into agreement.

Utilities Director Gilvarry advised that the City of Las Vegas Utilities Department went out for sealed proposals for pump, motor and mechanical repair services in

order to allow for the proper repair of the pumps, motors and other mechanical equipment that cannot be repaired by City staff. The work will occur at the different City work sites such as the Water and Waste Water Treatment Plants. These services will be utilized by each utilities division as needed.

Councilor Howell stated that it was unfortunate that the City did not have local companies that provided the kind of services that the Utilities Department frequently needs.

Councilor Howell made a motion to approve to award proposal #2017-18 to Alpha Southwest, Inc. and enter into agreement. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
Barbara A. Casey	Yes	David L. Romero	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.

COUNCILORS' REPORTS

Councilor Romero advised that he had no report at this time.

Councilor Casey spoke of her concerns regarding ordinances, job descriptions and the City Charter being inconsistent with each other and felt that it was important to review all documents which were outdated. Councilor Casey advised that there should be consistency and that ordinances are in compliance with the law.

Councilor Howell stated that he was excited for the upcoming City Retreat and hoped for good discussions. Councilor Howell advised that there was a lot of public input related to the Governing Body not working together and felt that the retreat would help in discussing issues in order to have good resolutions with following up on those resolutions every quarter throughout the year.

Councilor Casey advised that Councilors had not been informed of the dates for the City Retreat and were needed in order to plan ahead and advised that she would not attend the retreat on March 28th, due to going out of town.

Mayor Gurulé-Girón advised that notice of the City Retreat dates had previously been given out in an open meeting.

City Manager Trujillo informed that City Clerk Fresquez had sent out notices of the City Retreat to all the Governing Body.

Councilor Casey asked for the cost of the Retreat Facilitator and the rental of UWC.

Mayor Gurulé-Girón informed that the past administration had spent \$25,000.00 to \$30,000.00; she stated that she was very proud of this administration for an outstanding job and informed that the cost for the City Retreat came in at under \$5,000.00.

EXECUTIVE SESSION

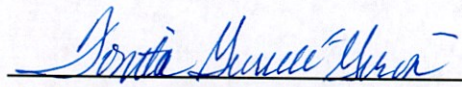
City Manager Trujillo advised there was no need for Executive Session at this time.

ADJOURN

Councilor Casey made a motion to adjourn. Councilor Romero seconded the motion. Mayor Gurulé-Girón asked for roll call. Roll Call Vote was taken and reflected the following:

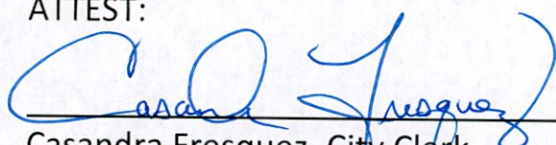
David A. Ulibarri, Jr.	Yes	Vincent Howell	Yes
David L. Romero	Yes	Barbara A. Casey	Yes

City Clerk Fresquez re-read the motion and advised the motion carried.



Mayor Tonita Gurulé-Girón

ATTEST:



Casandra Fresquez, City Clerk